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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE ENCARNACION MAYO RODRIGUEZ,
SYLVIA ZAMBRANO,
MARIA LUISA ESCAMILLA-LOPEZ,
JUAN CHAVARRIA,
JUAN RAMON LOPEZ,
NEREYDA ALVAREZ,
CHARLES JAMES BILLINGSLEY, JR.,

Defendants.

CASE NO. 2:19-CR-0231-WBS

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: August 23, 2021
TIME: 9:00 a.m.
COURT: Hon. William B. Shubb

STIPULATION

1. By previous order, this matter was set for status on August 23, 2021.
2. By this stipulation, defendants now move to continue the status conference until December 6, 2021 at 9:00 a.m., and to exclude time between August 23, 2021, and December 6, 2021, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes over 4400 pages of documents, including investigative reports, photographs, cell phone

1 records, and other materials, as well as numerous audio and video recordings. All of this
2 discovery has been either produced directly to counsel and/or made available for inspection and
3 copying.

4 b) Many of the events at issue in the case occurred in San Joaquin County, with
5 additional matters occurring in Southern California and the San Francisco Bay Area. Defense
6 investigation into the charged events can fairly be characterized as state-wide in scope.

7 c) During most of the period that this case has been pending national events related
8 to the spread of COVID-19 occurred. Federal and state authorities have issued directives
9 designed to address the pandemic. These directives have hampered the ability of the defense to
10 conduct investigation as to potential defenses in this matter. Additional time is therefore required
11 for defense investigation into matters charged in the Indictment.

12 d) On or about August 16, 2021, defendant Juan Chavarria retained new counsel,
13 Clemente Jimenez, to represent him in this matter due to a potential conflict identified by
14 defendant Chavarria's existing counsel, Armando Villapudua. Mr. Jimenez filed a substitution
15 of counsel on August 17, 2021 (ECF No. 179).

16 e) Counsel for defendants desire additional time to conduct factual investigation and
17 legal research into potential defenses and trial and sentencing issues, to review the discovery, to
18 consult with their clients, and to otherwise prepare for trial.

19 f) Counsel for defendants believe that failure to grant the above-requested
20 continuance would deny them the reasonable time necessary for effective preparation, taking into
21 account the exercise of due diligence.

22 g) The government does not object to the continuance.

23 h) Based on the above-stated findings, the ends of justice served by continuing the
24 case as requested outweigh the interest of the public and the defendant in a trial within the
25 original date prescribed by the Speedy Trial Act.

26 i) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
27 et seq., within which trial must commence, the time period of August 23, 2021 to December 6,
28 2021, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code

T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: August 17, 2021

PHILLIP A. TALBERT
Acting United States Attorney

/s/ DAVID W. SPENCER
DAVID W. SPENCER
Assistant United States Attorney

Dated: August 17, 2021

/s/ Todd D. Leras
TODD D. LERAS
Law Office of Todd D. Leras
Attorney for defendant Jose Encarnacion
Mayo Rodriguez

Dated: August 17, 2021

/s/ Christopher R. Cosca
CHRISTOPHER R. COSCA
Christopher R. Cosca, Attorney-at-Law
Attorney for defendant Sylvia Zambrano

Dated: August 17, 2021

/s/ Dina Lee Santos
DINA LEE SANTOS
Law Offices of Dina L. Santos
Attorney for defendant Maria Luisa Escamilla-
Lopez

Dated: August 17, 2021

/s/ Clemente Jimenez
CLEMENTE JIMENEZ
Law Office of Clemente M. Jimenez
Attorney for defendant Juan Chavarria

1 Dated: August 17, 2021

/s/ Phillip Cozens
PHILLIP COZENS
Phillip Cozens, Attorney-at-Law
Attorney for defendant Juan Ramon Lopez

4 Dated: August 17, 2021

/s/ David M. Garland
DAVID M. GARLAND
Law Office of David Garland
Attorney for defendant Nereyda Alvarez


7 Dated: August 17, 2021

/s/ Johnny L. Griffin, III
JOHNNY L. GRIFFIN, III
Law Offices of Johnny L. Griffin, III
Attorney for defendant Charles J. Billingsley, Jr.

12 **FINDINGS AND ORDER**

13 IT IS SO FOUND AND ORDERED.

14 Dated: August 18, 2021


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE